

REMARKS

Claims 1, 4-7 and 11-15 are pending in this application. By this Supplemental Amendment, claim 1 is amended and claim 6 is canceled.

The undersigned appreciates the courtesies extended to the undersigned during the September 17 personal interview with Examiner Hayes. The substance of the interview is discussed in the remarks below.

Reconsideration and re-examination is respectfully requested in view of the above amendments and the following remarks.

I. The Claims Define Patentable Subject Matter

The Office Action rejects claims 1, 4-8 and 11-15 under 35 U.S.C. §103(a) over Dillon (U.S. Patent No. 5,727,065) in view of Bowman (U.S. Patent No. 5,999,623) and Downs (U.S. Patent No. 6,226,618 B1); and rejects claims 12-14 under 35 U.S.C. §103(a) over Dillon, Bowman, Downs and further in view of Stefik (U.S. Patent No. 5,634,012). The rejection is respectfully traversed.

With respect to independent claim 1, neither Dillon, Bowman nor Downs, individually or in combination, disclose or suggest encrypting and broadcasting contents along with summary information showing a summary of the contents to the plural users, providing decoding information accompanying encrypted contents, each decoding information specific to a user in the plural users, and displaying summary information only if decoding information accompanies encrypted contents wherein the decoding information determines which encrypted contents among the broadcasted contents can be utilized by the user, as recited in independent claim 1.

Dillon discloses an electronic document delivery system where a broadcast center periodically sends "a catalog" of available documents to a receiving computer, thereby allowing a user to browse through the available documents without having to access the

broadcast center (see Abstract of Dillon). Therefore, Dillon does not disclose or even suggest broadcasting contents along with summary information showing a summary of the contents to the plural users. In fact, Dillon does not even mention broadcasting contents along with summary information. Therefore, Dillon cannot perform displaying summary information only if the decoding information accompanies encrypted contents.

Bowman pertains to enabling an authorized receiver station to decrypt encrypted information broadcast by a transmitting station, for decrypting the information within the authorized receiver station (see Abstract of Bowman). Bowman does not disclose or even suggest broadcasting contents along with summary information showing a summary of the contents to the plural users. In fact, Bowman makes no mention of broadcasting summary information. Thus, Bowman cannot perform displaying summary information only if the decoding information accompanies encrypted contents.

Downs discloses that information describing a song, such as a preview is displayed at the contents promotions website and is freely available to the end user. Thus, Downs teaches away the subject matter of the claimed invention. As discussed in the September 17 personal interview, it is respectfully submitted that Downs discloses that the Metadata SC which contains metadata is distributed to one or more Electronic Digital Content Store EDCS (see, col. 23, lines 43-47) and not to a end-user. Simply stated, Downs fails to disclose or even suggest broadcasting contents along with summary information showing a summary of the contents to the plural users. If fact, a user does not have access to a Metadata SC, which is available to a EDCS.

Moreover, Downs does not disclose or even suggest broadcasting contents along with summary information...to the plural users. In fact, in Downs, contents are searched and browsed by individual users (see col. 79, lines 47-53). Therefore, in Downs, contents are

downloaded by a user's initiative, and not by a contents distributor that broadcasts contents along with summary information...to the plural users.

Furthermore, Downs does not disclose or suggest displaying summary information only if decoding information accompanies encrypted contents. In fact, in Downs, the decoding information is transmitted separately by the clearing house (see col. 7, lines 11-16).

Downs also fails to disclose or even suggest that each decoding information specific to a user in the plural users...wherein the decoding information determines which encrypted contents among the broadcasted contents can be utilized by the user. Because Downs fails to disclose that contents are broadcasted (see col. 79, lines 47-53), Downs fails to disclose or even suggest the decoding information determines which encrypted contents among the broadcasted contents can be utilized by the user.

Moreover, Stefik does not cure the above noted deficiencies of Dillon, Bowman and Downs. Stefik discloses a fee accounting mechanism for accounting fees associated with the distribution and use of digital works (see Abstract of Stefik). However, Stefik does not disclose or even suggest the above features of the claimed invention.


For at least the reasons above and for the reasons in the June 19 Request for Reconsideration, July 22 Supplemental Request for Reconsideration, and the August 4 Amendment, it is respectfully submitted that independent claims 1 and 7 define patentable subject matter. Claims 4, 5, 8 and 11-15 depend from the respective independent claims, and therefore also define patentable subject matter. Accordingly, withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

II. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4-7 and 11-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


James A. Oliff
Registration No. 27,075

Yong S. Choi
Registration No. 43,324

JAO:YSC/jth

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OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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